

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

FIDELITY MANAGEMENT TRUST
COMPANY, as Collateral Agent for
Mellon Bank, N.A., as Trustee of Bell
Atlantic Master Trust with Respect to
to Account C,

Plaintiff,

v.

RICCARDO OLIVIERI, an individual,
Defendant.

Civil Action No. 04-CV-11873-NMG

**ASSENTED TO MOTION FOR ONE-DAY EXTENSION
OF TIME TO RESPOND TO REMAND MOTION**

The Defendant moves that the time within which he must respond to “Fidelity Management Trust Company’s Motion to Vacate Removal and for Remand Motion for Remand” (the “Remand Motion”) be extended by one day through the close of business on October 19, 2004. This motion has been assented to. In support hereof the Defendant states that, due to a computer malfunction, the response which had been prepared for filing today has been lost, apparently irretrievably, and must be reconstructed.

RICCARDO OLIVIERI

By his attorneys,

/s/ Kenneth J. DeMoura

Richard L. Levine (BBO#297040)

Kenneth J. DeMoura (BBO#548910)

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ASSENTED TO:

/s/ Anthony M. Feeherry
Anthony M. Feeherry, Esq.
Counsel for Plaintiff

Dated: October 18, 2004
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